

Exhibit L-4.2

U.S. v. Romero-Romero

CR 07-0711 MMC

**Transcription of Immigration Hearing of Oscar Ernesto-Romero-Romero, Jr.
November 14, 2003, Part II**

IJ: Immigration Judge

OR: Oscar Ernesto Romero-Romero, Jr.

GA: Government Attorney

AG: Allan Gonzalez

IJ: This is Immigration Judge Rose Peters uhh, today is still November 14, 2003. The same parties are before me. The respondent is now represented. Uhh state your name counsel.

AG: Allan Gonzalez for respondent.

IJ: The government is represented by?

GA: Donald Yu.

IJ: Alright, sir, uhh, good morning. State your name for me again please.

OR: Oscar Ernesto Romero, Jr.

IJ: Alright, its uhh, 11:29 in the morning and counsel just arrived. Umm, we're scheduled today to do a merits hearing on the withholding and torture application counsel, umm, why are you so late?

AG: App...

IJ: The respondent's family members are here as well.

AG: Yes, my apologies to the court, and to the family members and also of course to the trial attorney. Uhh the reason I got here at this time of the day is because uhh, someone, apparently it would have been a secretary, calendared this hearing for 1pm, rather than 8 o'clock, 8:00am.

IJ: Well, you're given a written notice, which says 1 o'clock, 8 o'clock. I'm looking at it.

AG: Correct. I saw the written notice this morning that was in the file and that's when it was discovered that there was an 8, 1, an 8am hearing rather than a 1pm hearing. But, app... there's only so much I can uhh, supervise in the office, I mean, some of the tasks that are done there, preformed there are really, you know, relatively easy tasks that no one should have to double check and this is one of those occasions where someone just made a blatant error, and just nobody caught it.

IJ: So what are you proposing here counsel?

AG: As far as, Your Honor?

IJ: This case. What do you propose we do today?

AG: I would like to see a continuance of this case today if that's possible?

IJ: Well umm, what else do you envision happening here?

AG: Today?

IJ: Yes.

AG: Umm, its possible that we can go forward and there will be testimony taken on the asylum application.

IJ: And do you think we can finish it in half an hour?

AG: No, I don't think we can finish it in half an hour.

IJ: So what's the what's the government's position here?

GA: Uhh, we would defer to the court on this decision Your Honor.

IJ: Now Sir, your attorney is telling me he can't do your hearing today because he showed up late and you heard the reason why. So he wants me to continue your case, and my next available date is, January 9th at 1 o'clock.

AG: You don't have....

IJ: I'm sorry?

AG: You don't have earlier dates than that?

IJ: No I don't, that's why its very disheartening to me when a merits hearing gets lost, because I reserved the time for the case so we can finish it.

AG: Right.

IJ: And I'm already booked up.

AG: Can I speak to him just for a brief moment, Your Honor?

IJ: Yes. Off the record while counsel speaks to his client.

IJ: Back on the record, while off the record counsel had a discussion with his client, counsel?

AG: Yes, Your Honor, we're, he, we're, he's amenable to a continuance till the January 9th.

IJ: Is that right, sir?

OR: Yes, Your Honor.

IJ: Now counsel, umm, I'm not going to accept an excuse like this again. Umm, I think the, I understand what your saying that you can't supervise every, umm, activity but it seems to me that an attorney should keep their own calendar so they know when they are booked and when they're not booked. Like I see you've got in front of you.

AG: And I do have, I do have a calendar and what I do is I transpose what's on the large calendar on to my small calendar.

IJ: Well then counsel that's what I expect to happen. I, I think, I mean the family's been here, they've been inconvenienced, the government's inconvenienced, and your client inconvenienced, so I think that uhh, I'm not going to accept this excuse in the future.

AG: I just figured honesty to the court was the best policy in this matter.

IJ: Well, I'm sure honesty is always the best policy, but it doesn't mean its going to get you off the hook.

AG: Understandable.

IJ: So January 9th at 1 o'clock?

AG: January 9th.

IJ: Now that's a 3 hour time period that we have, is that enough time?

AG: January 9th at 3pm?

IJ: 1 o'clock.

AG: 1pm, uhh, that should be plenty of time Your Honor. I would suspect that's plenty of time.

IJ: Is that agreeable counsel?

GA: Yes, Your Honor.

IJ: Alright, Sir you understand your next hearing is January 9th, 2004 ay 1 o'clock?

OR: Yes, Your Honor.

IJ: Alright would you please contact your lawyer prior to the hearing to remind him of that so that we don't have this problem again?

OR: Yes, Your Honor.

IJ: Hearing is adjourned, notice is served.

End of Hearing.

End of Tape 1.